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# QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD

## Situation of human rights in the Sudan

## Report of the Special Rapporteur, Mr. Leonardo Franco, submitted in accordance with Commission on Human Rights resolution 1998/67

1. The mandate of the Special Rapporteur on the situation of human rights in the Sudan was established by the Commission on Human Rights in its resolution 1993/60 of 10 March 1993. On 30 March 1993, the Chairman of the Commission appointed Mr. Gáspár Bíró (Hungary) Special Rapporteur. Mr. Bíró submitted five reports to the Commission on Human Rights (E/CN.4/1994/48, E/CN.4/1995/58, E/CN.4/1996/62, E/CN.4/1997/58 and E/CN.4/1998/66) and five interim reports to the General Assembly (A/48/601, A/49/539, A/50/569, A/51/490 and A/52/510).

2. At its fifty-fourth session the Commission adopted resolution 1998/67 in which it decided to extend for a further period of one year the mandate of the Special Rapporteur.

3. In the same resolution, the Commission expressed its deep concern at continued serious human rights violations in the Sudan, including summary executions, extrajudicial killings, arbitrary arrests, detentions without due process, enforced or involuntary disappearances, violations of the rights of women and children, slavery and slavery-like practices, forced displacement of persons, systematic torture and denial of the freedoms of religion, expression, association and peaceful assembly. It emphasized that it was essential to put an end to such violations, and renewed its call to the Government of the Sudan to respect human rights fully and to comply with applicable international human rights instruments. It also called upon all

parties to the hostilities in the Sudan to respect fully the applicable provisions of international humanitarian law, to halt the use of weapons against the civilian population and to protect all civilians from violations of human rights and humanitarian law.

4. The Commission requested the Special Rapporteur to report to the Commission on the future need for human rights field officers, on the understanding that the Commission would, at its fifty-fifth session, reassess such need. It also requested the Special Rapporteur to report his findings and recommendations to the General Assembly at its fifty-third session and to the Commission at its fifty-fifth session.

5. Following the presentation of his report to the fifty-fourth session of the Commission on Human Rights, Mr. Bíró resigned. By letter dated 12 August 1998, the Chairman of the fifty-fourth session of the Commission appointed Mr. Leonardo Franco (Argentina) as the new Special Rapporteur on the situation of human rights in the Sudan.

6. By note to the General Assembly (A/53/504), the Secretary-General informed the Assembly that, owing to Mr. Bíró's resignation, the interim report due to be submitted to the Assembly at its fifty-third session could not be submitted. The Secretary-General also informed the Assembly of Mr. Franco's appointment.

7. Upon accepting his appointment, the Special Rapporteur proceeded to inform himself about the general situation in the Sudan and, in particular, on the situation of human rights and the humanitarian crisis in the country.

8. The Special Rapporteur, aware of the complexity of the historical, social and political background of the Sudan, has been particularly eager to learn from all sources any facts and figures which might help him in the discharge of his mandate.

9. From 9 October to 16 October 1998, the Special Rapporteur undertook a mission to Geneva for consultations with the High Commissioner for Human Rights, the staff of the Office of the High Commissioner for Human Rights, the specialized agencies, as well as with diplomatic missions and independent experts. From 17 to 22 October, the Special Rapporteur visited the United Kingdom where he consulted with a wide range of international non-governmental organizations, independent experts and academics.

10. While in Geneva, the Special Rapporteur called on the Permanent Representative of the Republic of the Sudan on 16 October 1998 and stated his wish to visit the country at the earliest opportunity. The Permanent Representative offered full cooperation and, while extending his welcome, impressed upon the Special Rapporteur that the combination of a regional conference on refugees and internally displaced persons being hosted by the Sudan and the celebration of Ramadan in January made it difficult to envisage a visit before the end of January 1999.

11. On the occasion of the seminar on "Enriching the Universality of Human Rights - Islamic Perspectives on the Universal Declaration of Human Rights", which the Special Rapporteur attended in Geneva on 9 and 10 November 1998, the

Special Rapporteur called again on the Permanent Representative of the Sudan who renewed his assurances that the Special Rapporteur would be welcome to visit the Sudan at his convenience and would be free to visit any places of his choice subject to security constraints. The Special Rapporteur suggested early February 1999 for such a visit and this proposal appears to be agreeable to the Sudanese authorities. The Minister of External Relations of the Sudan assured the High Commissioner for Human Rights on 16 November 1998 that the Special Rapporteur would be welcome to the Sudan and that he would enjoy the full cooperation of the Sudanese Government.

12. In view of his late appointment and the scheduling of his first mission to the Sudan, the Special Rapporteur will not be in a position to make a full report to the Commission on Human Rights at this stage. Upon satisfactory completion of his mission he plans to provide the Commission with a more substantive report.

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